

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 10-cv-01071-CMA-BNB

STEESE, EVANS & FRANKEL, P.C.,

Plaintiff,

v.

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Defendant,

and

JOHN DOE,

Intervenor Defendant.

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**ORDER**

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This matter arise on the following:

- (1) **John Doe’s Motion to Intervene** [Doc. # 45, filed 6/7/2010] (the “Motion to Intervene”);
- (2) **Motion for Relief from Filing Scheduling Order and Conducting Rule 26(f) Conference** [Doc. # 29, filed 6/18/2010] (the “Motion for Relief”); and
- (3) Numerous motions to seal [Docs. # 16, 17, 18, 23, and 25] (the “Motions to Seal”).

I held a hearing on the motions this morning and made rulings on the record, which are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion to Intervene [Doc. # 45] is GRANTED. The Intervenor Defendant shall file his Answer in Intervention by close of business today.

IT IS FURTHER ORDERED that the Defendant Intervenor is allowed to proceed by the pseudonym John Doe. On or before **July 30, 2010**, the Defendant Intervenor shall submit a Notice, *in camera* and **for Court view only**, disclosing the Defendant Intervenor's true identity.

IT IS FURTHER ORDERED that the Motion for Relief [Doc. # 29] is GRANTED. There will be no discovery; no expert witnesses; and the case will be decided on cross-motions for summary judgment. The plaintiff shall file an amended complaint on or before **July 28, 2010**. The dispositive motion deadline is **September 9, 2010**.

IT IS FURTHER ORDERED that the Motions to Seal [Docs. # 16, 17, 18, 23, and 25] are GRANTED IN PART and DENIED IN PART, as follows:

**Docs. # 16 and 17:**

GRANTED to seal the following information:

- (i) Part II contained on pages 3-4 of Doc. # 17-1;
- (ii) Paragraph 3 on page 2 of Doc. # 17-2; and
- (iii) the totality of Doc. # 17-3; and

DENIED in all other respects.

**Doc. # 18:**

GRANTED.

**Doc. # 23:**

DENIED. The motion seeks to seal Docs. # 19 and 20 which contain no confidential or personal identifying information.

**Doc. # 25:**

GRANTED to seal page 4 of Doc. # 26; and

DENIED in all other respects.

Dated July 23, 2010.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge